

PATENT: AH0948O

In re Application of:)	
) Examiner: N. Levy	RECEIVED
Chung et al)) Group Art Unit: 1616	JAN 102001
Serial No.: 09/431,519)	OUL TO SOM
Filed: November 1, 1999) Atty. Docket No.: AH0948Q	TECH CENTER 1600/2900

IMPROVED GROWTH STIMULANT COMPOSITIONS For:

Assistant Commissioner for Patents & Trademarks Washington, D.C. 20231

AMENDMENT

Sir:

This Amendment is in response to the Office Action of July 14, 2000, in the aboveidentified patent application. Please amend the application as follows:

IN THE CLAIMS:

Claim 1 (amended): An anabolic implant dual formulation composition for stimulating increased rate of growth, greater amount of growth and greater feed efficiency in cattle, said composition comprising: (i) an immediate-release first formulation [comprising] consisting essentially of an anabolic agent, and (ii) a controlled-release second formulation domprising an anabolic agent and a controlled-release agent, wherein said immediate-release formulation and said controlled-release formulation cooperate to effect said stimulation.

REMARKS

Claims 1-42 are pending in the application. Claims 21-42 were withdrawn from consideration and Claims 1-20 are under prosecution. The Examiner rejected Claims 1-20 under 35 U.S.C. §112, second paragraph, as being indefinite for the use of the term "cooperate". The Examiner states that it is indeterminate as to how "cooperation" is to be effected by the formulations, and which portion thereof contributes to the cooperation means. Applicants would like to respectfully traverse the rejection. The term "cooperate" is not necessarily indefinite. In a formulation containing several ingredients as in the instant case, the observed effect of the formulation is generally the result of a cooperative effect of the ingredients. In such instances, it is customary in claim language to use the term "cooperate" or "cooperation". See, for instance, U.S. 5,156,888, claim 19. Furthermore, in the instant